

08-21-06

IEW 267



PTO/SB/21 (09-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/992,586
	Filing Date	November 16, 2001
	First Named Inventor	Jason F. HUNZINGER
	Art Unit	2617
	Examiner Name	Randy Peaches
Total Number of Pages in This Submission	Attorney Docket Number	440402000300

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement Of Substance Of Interview Under MPEP 713.04 Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	MORRISON & FOERSTER LLP (CN 25224) 555 West Fifth Street, Los Angeles, CA 90013		
Signature			
Printed name	Glenn M. Kubota		
Date	August 18, 2006	Reg. No.	44,197

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV781674962US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 18, 2006

Signature: (Marco Jimenez)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV781674962US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 18, 2006

Signature: _____

(Marco Jimenez)

Docket No.: 440402000300
Client reference: LA2000-115/DNJP-59364-US
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of:
Jason F. HUNZINGER

Confirmation No.: 8265

Application No.: 09/992,586

Examiner: Randy Peaches

Filed: November 16, 2001

Art Unit: 2617

For: RETRY LIMITS FOR CONNECTION RESCUE
PROCEDURES IN TELECOMMUNICATION
SYSTEMS

STATEMENT OF SUBSTANCE OF INTERVIEW UNDER MPEP 713.04

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

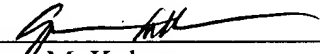
The Applicants respectfully thank the Examiner for the telephone interview on August 2, 2006. The interview was conducted between Examiner Randy Peaches, Primary Examiner Charles Appiah, and the patent attorney of record, Glenn M. Kubota. Agreement was reached.

The Examiner, Primary Examiner and the undersigned attorney of record agreed that the Advisory Action mailed on July 26, 2006 indicating that the amendments would not be entered because further searching was required, was inappropriate in view of the fact that the amendments submitted in a response to the final Office Action dated February 8, 2006 simply re-wrote the allowable claims into independent form as requested by the Examiner in the Final Office Action. The Examiner, Primary Examiner and attorney of record agreed that the appropriate course of action should have been to either (1) allow the case, or (2) issue another rejection and re-start the time period for reply.

Because it was uncertain whether the Examiner would have enough time to take an appropriate course of action prior to the six-month bar date of August 8, 2006, the Examiner and Primary Examiner further agreed to prepare an Interview Summary stating the appropriate courses of action, and also stating that the Advisory Action would be withdrawn and that the Applicants would not be subject to the six-month bar date (i.e. the case would not go abandoned as of August 8, 2006). Instead, a new due date would be established if the Examiner found new grounds of rejection and explained them in a new office action.

Dated: August 18, 2006

Respectfully submitted,

By 
Glenn M. Kubota
Registration No.: 44,197
MORRISON & FOERSTER LLP
555 West Fifth Street, Suite 3500
Los Angeles, California 90013
(213) 892-5200

Enclosure: Copy of Interview Summary dated 08/11/2006



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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,586	11/16/2001	Jason F. Hunzinger	440402000300	8265

25224 7590 08/11/2006
MORRISON & FOERSTER, LLP
555 WEST FIFTH STREET
SUITE 3500
LOS ANGELES, CA 90013-1024

EXAMINER

PEACHES, RANDY

ART UNIT PAPER NUMBER

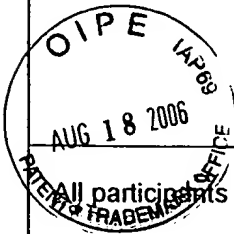
2617

DATE MAILED: 08/11/2006



Please find below and/or attached an Office communication concerning this application or proceeding.

COPY



Interview Summary

Application No.

09/992,586

Applicant(s)

HUNZINGER, JASON F.

Examiner

Randy Peaches

Art Unit

2617

All participants (applicant, applicant's representative, PTO personnel):

(1) Randy Peaches.

(3) _____

(2) Glenn Kubota.

(4) _____

Date of Interview: 02 August 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____

Claim(s) discussed: 93-96.

Identification of prior art discussed: _____

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The Examiner will withdraw the Advisory Action mailed on 7/26/2006 and respond to the Amendment dated 5/9/2006, with and appropriate Office Action.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


CHARLES APPIAH
PRIMARY EXAMINER



RECEIVED

AUG 15 2006

MORRISON & FOERSTER LLP
LOS ANGELES

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required